



CRL OP(MD). No.15255 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15255 of 2024

Karthick @ Mandai Karthick

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.
Crime No. 106 of 2024.

... Respondent/Complainant

For Petitioner : Mr.A.S.Vaigunth,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For Bail in Crime No. 106 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 16.07.2024 for the offences punishable under Sections 294(b), 324, 506(ii) @ into

Sections 294(b), 302 I.P.C, in crime No.106 of 2024 on the file of the respondent police,

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seeks bail.

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2.The case of the prosecution is that the petitioner is addicted to alcohol and when the same was questioned by his neighbour, due to which, the petitioner pushed down him, which ultimately resulted in the death of the neighbour,

3.Heard the learned counsel on either side and perused the material records of the case.

Liquor offence:

4.Considering the facts and circumstances of the case and also considering the nature of allegation that the petitioner is addicted to alcohol and only for the fact that the neighbour questioned his unruly behaviour, he pushed down, which ultimately resulted in the death of the neighbour, considering the fact that there are no other bad antecedents and the petitioner is in judicial custody from 16.07.2024 and considering the argument of the petitioner. The petitioner will file an affidavit cooperating for treatment with de-Addiction Centre, Government Rajaji Hospital, Madurai, I am inclined to enlarge the petitioner on bail with certain conditions.

5.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thirumayam, Pudukkottai District.



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(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) As undertaken by the learned counsel for the petitioner, the petitioner shall file an undertaking affidavit that the petitioner shall also report before the De Addiction Centre attached to the Rajaji Government Hospital, Madurai and the Centre shall verify whether the petitioner has any habit of regularly consuming alcohol and if so, treat him in as per their procedures.

(iii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(iv) the petitioner shall not tamper with evidence or witness;

v) the petitioner shall not abscond during trial.

vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



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(vii) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
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18/09/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

1 THE JUDICIAL MAGISTRATE,
THIRUMAYAM,
PUDUKKOTTAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUMAYAM POLICE STATION,
PUDUKKOTTAI DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT PRISON,
PUDUKKOTTAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO
THE OFFICER INCHARGE,
DE ADDICTION CENTRE,
RAJAJI GOVERNMENT HOSPITAL,
MADURAI.

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ORDER

IN

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Date :18/09/2024

RS//SAR-(18.09.2024) 5P 7C

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